



Cty. Comm. Pres.

RAVALLI COUNTY ATTORNEY

George H. Corn, County Attorney
T. Geoffrey Mahar, Chief Deputy
John Bell, Deputy
Karen Mahar, Deputy
William E. Fulbright, Deputy
Alex Beal, Deputy

Ravalli County Courthouse
205 Bedford Street, Suite C
Hamilton, MT 59840
Phone (406) 375-6750
Fax (406) 375-6731

October 10, 2007

RECEIVED

OCT 11 2007

Ravalli County Commissioners

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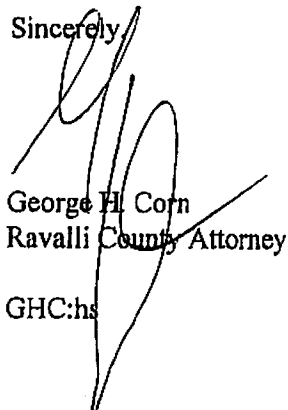
Mr. Mark W. Heller
203 Central Avenue
Stevensville, MT 59870

RE: Bitterroot Humane Association (BRHA)/Request for an Opinion

Dear Mr. Heller:

By law I am not allowed to give opinions to private individuals, only publicly elected officials. However, due to the fact that Ravalli County does give money to the Humane Association, I will forward your letter to the Ravalli County Commissioners, along with the letter from the Humane Association that states you are no longer welcome on the property, nor welcome as a volunteer.

Sincerely,



George H. Corn
Ravalli County Attorney

GHC:hs

bcc: Sue McCormack

COPY

From: Mark W. Heller
203 Central Ave.
Stevensville, MT 59870

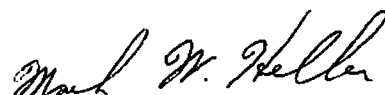
25 Sep 07

To: County Attorney, Ravalli County
205 S. Bedford St., Ste C
Hamilton, MT 59840

Subject: Attached Letter from Bitter Root Humane Association (BRHA)

1. I am Mark W. Heller. I am a fulltime resident of Ravalli County. I am a dues-paying member of the BRHA and, until receipt of the attached letter, a volunteer at the BRHA Animal Shelter.
2. I am writing to request your ruling on the legality of the attached letter of 13 Sep 07. I have attended every BRHA board meeting since March of 2007 and at no time was any discussion held on limiting my presence on BRHA property. This action is either a unilateral action on the part of the BRHA board president Sue McCormack, or an issue illegally discussed at a closed session IAW MCA 2007 section 2-3-201 and 2-3-202.
3. I have no interest in resuming volunteer activities. The letter states that my presence on BRHA property will be considered trespassing. The BRHA holds its monthly meetings on BRHA property, or property leased to the BRHA. This letter attempts to prevent me from attending BRHA board meetings that are required to be open public meetings IAW MCA 2007 section 2-3-203.
4. I request your ruling on this issue. I have in-closed two pre-addressed and stamped envelopes. One is addressed to me and the second is addressed to the BRHA. I do not want to have any confrontation when I show up at the 1 Oct 07, (the first non-holiday Monday of the month) and subsequent, BRHA board meetings and likewise do not want to antagonize any board members by being seen as the bearer of unwelcome news.
5. I can be contacted by phone at 777-7067 if any additional information is required. Thank you in advance for your assistance in this matter.

Sincerely,



Atch: BRHA Ltr dtd 13 Sep 07



P.O. BOX 57
HAMILTON, MT 59840
(406) 363-5311

September 13, 2007

Mr. Mark Heller
203 Central Avenue
Stevensville, MT 59870

Dear Mr. Heller:

This letter is to inform you that your services as a volunteer with Bitter Root Humane Association are no longer required and you are no longer permitted on BRHA property. Further, your presence on BRHA property will be viewed as trespassing.

A handwritten signature in black ink, appearing to read "Sue McCormack".

Sue McCormack
President, Board of Directors

Cc: Volunteer Coordinator
Shelter Manager
Boatwright Law Office